

106th TN General Assembly

First Regular Session



Wednesday, February 18, 2009

Senate – 5th Legislative Day House – 5th Legislative Day

SENATE

BILLS / RESOLUTIONS

- SR 0021 by *Stanley**
Memorials, Professional Achievement - R.E. Linkous, Society of Entrepreneurs -
- *SJR 0072 by *Tracy**
General Assembly, Statement of Intent or Position - Expresses support for people with developmental disabilities having access to home- and community-based services provided through a single distinct entity in state government. -
- SJR 0073 by *Tracy**
Memorials, Sports - Cascade High School football team -
- *SJR 0074 by *Ramsey**
General Assembly, Confirmation of Appointment - Dr. Jeff McMillin of Bristol, Wildlife Resources Commission -
- SJR 0075 by *Henry**
Memorials, Death - Joe M. Rodgers -
- SJR 0076 by *Ford, O.**
Memorials, Death - W. S. Howard -
- *SJR 0077 by *Berke**
Constitutional Amendments - Proposes statewide popular election of the lieutenant governor, attorney general and reporter, and secretary of state. -
- SB 1949 by *Yager (*HB 1480 by *Cobb J)**
Highway Signs - As introduced, "Jimmy 'Pap' Galloway Memorial Bridge," U.S. Highway 27 in Rhea County. -
- SB 1950 by *Ramsey**
Bristol - As introduced, subject to local approval, removes recall, initiative, and referendum provisions from charter. - Amends amend Chapter 84 of the Private Acts of 1991; as amended.
- *SB 1951 by *Henry (HB 1542 by *Stewart)**
Taxes, Sales - As introduced, allows counties and municipalities to create exemption to local option sales tax for replacement trees purchased toward commercial or public utility property's required tree density. - Amends TCA Title 67.
- *SB 1952 by *Tate**
Economic and Community Development - As introduced, requires the state treasurer to submit a written report each year concerning the assistance program for small and minority-owned businesses and the small and minority-owned business assistance program fund. - Amends TCA Section 65-5-113.

(Senate Bills cont.)

***SB 1953 by *Tate**

General Assembly - As introduced, creates six-member diversity business enterprise select oversight committee to review and evaluate diversity in state contracting and procurement; three members to be appointed by the speaker of the senate, one from each grand division; three members to be appointed by the speaker of the house, one from each grand division. - Amends TCA Title 3, Chapter 15; Title 4 and Title 12.

***SB 1954 by *Stanley, Stewart, Beavers, Burchett, Jackson, Ketron, Harper, Johnson, Tracy, Norris, Tate**
Telecommunications - As introduced, enacts the "Market Regulation Act of 2009." - Amends TCA Section 65-5-109.

***SB 1955 by *Ketron**

Alcoholic Beverages - As introduced, provides that manufacturing of intoxicating liquors is allowed in counties that have approved retail package sales and liquor-by-the-drink sales through voter referendum; requires manufacturer to obtain appropriate licenses. - Amends TCA Section 57-2-103.

SECOND CONSIDERATION

SB's 616 – 1948 were passed on second consideration.

OTHER ACTION

SB 1473 – WITHDRAWN

SJR 19 – s/r Intro., ADOPTED v.v.

HJR 73 – s/r CONCURRED v.v.

COMMITTEE REPORTS

FINANCE, WAYS & MEANS – SHR #12 – 2:30 p.m. –

Rec. for pass., ref to Calendar - SB 316.

Rec. for pass. if am., ref to Calendar – SB 17.

Action def. – SB's 315, 317.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES – SHR #12 – 11:00 a.m. –

Action def. – SB 108.

Ref. to Gen. Sub. – SB's 105, 106, 107, 285, 288.

JUDICIARY – SHR #12 – 1:00 p.m. –

Action def. – SB's 110, 112, 113, 284.

Ref. to Gen. Sub. – SB 111.

MESSAGE FROM THE GOVERNOR

SJR's 6, 44 – SIGNED 2/12/09.

SENATE CONVENES AT 9:00 A.M., THURSDAY, FEBRUARY 19, 2009

HOUSE

BILLS / RESOLUTIONS

HB's 1138 – 1499 were introduced and passed on first consideration.

HR 0012 by *Brown, Cooper B

Memorials, Public Service - Alpha Kappa Alpha Sorority, Inc. -

HR 0013 by *Jones S

Memorials, Recognition - Russell Bauman Brecheen, Jr. -

***HR 0014 by *Coleman, Sontany, Lundberg**

General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to the rules of criminal procedure, promulgated by the supreme court of Tennessee. -

***HR 0015 by *Coleman**

General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to the rules of civil procedure, promulgated by the supreme court of Tennessee. -

***HR 0016 by *Coleman, Sontany, Lundberg**

General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to the rules of juvenile procedure, promulgated by the supreme court of Tennessee. -

***HR 0017 by *Coleman, Sontany, Lundberg**

General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to the rules of evidence, promulgated by the supreme court of Tennessee. -

***HR 0018 by *Coleman, Sontany, Lundberg**

General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to the rules of civil procedure concerning the discovery of electronically stored information, promulgated by the supreme court of Tennessee. -

***HR 0019 by *Coleman, Sontany, Lundberg**

General Assembly, Review Or Ratification of Rules - Approves amendments and revisions to the rules of appellate procedure, promulgated by the supreme court of Tennessee. -

HJR 0101 by *Hackworth

Memorials, Death - Elizabeth Edwards Cobb -

HJR 0102 by *Cooper B, Miller L

Memorials, Death - Nettie B. Rogers -

***HJR 0103 by *Kelsey**

Constitutional Amendments - Proposes a constitutional amendment to provide for popular election of Tennessee's attorney general. -

***HJR 0104 by *Campfield**

General Assembly, Statement of Intent or Position - Affirms Tennessee's sovereignty under the tenth amendment to the United States Constitution. -

HJR 0105 by *Floyd

Memorials, Public Service - Bailey Farrell, Prudential Spirit of Community Award Distinguished Finalist

HB 1503 by *Coleman (*SB 1281 by *Bunch)

Garnishments and Executions - As introduced, clarifies certain procedural elements of service of garnishments. - Amends TCA Title 26, Chapter 2, Part 2.

HB 1504 by *Coleman (*SB 1280 by *Bunch)

Public Records - As introduced, establishes immunity from civil liability for persons furnishing, disclosing, or requesting information without malice pursuant to public records laws. - Amends TCA Title 8, Chapter 4; Title 8, Chapter 44 and Title 10, Chapter 7.

HB 1505 by *Harmon, Fraley, Barker, Dean, McCormick, Johnson P, Hackworth, Cobb C, Fincher, Ford , Curtiss, Ferguson, McDonald, Cobb T, Matlock, Brooks K, Shipley, Floyd, Tidwell, Eldridge, Winningham, Bone, Borchert, Sargent, Hill, Rich, Coleman, Johnson C, Stewart, Montgomery, West (*SB 0398 by *Tracy)
Highways, Roads and Bridges - As introduced, deletes the authority of the commissioner of finance and administration to transfer department of transportation funds and programs in the highway fund to the state general fund. - Amends TCA Section 4-3-1016.

(House Bills cont.)

HB 1506 by *Montgomery (*SB 0246 by *Gresham)

Teachers, Principals and School Personnel - As introduced, prohibits principals under performance contracts from being members of negotiating units for collective bargaining purposes. - Amends TCA Section 49-5-602(7).

HB 1507 by *Winningham, Brooks H (*SB 0611 by *Tracy)

Basic Education Program (BEP) - As introduced, requires local legislative bodies to maintain funding effort for LEAs; prohibits LEAs from using state funds to supplant local operating funds, excluding capital outlay and debt service; prohibits LEAs from submitting budgets to local legislative bodies that do not maintain the local legislative body's funding effort, as adjusted for inflation, from the previous fiscal year. - Amends TCA Title 49.

HB 1508 by *Winningham, Brooks H (*SB 0074 by *Tracy)

Students - As introduced, authorizes random drug testing of students who participate in voluntary extracurricular activities. - Amends TCA Section 49-6-4213.

HB 1509 by *Winningham, Brooks H (*SB 0072 by *Tracy)

Local Education Agency - As introduced, allows any operating LEA to convert to a special school district. - Amends TCA Title 49, Chapter 2, Part 5.

HB 1510 by *Fraley (*SB 0540 by *Ketron)

Public Employees - As introduced, provides that, during negotiations between representatives of public employee unions and representatives of state or local governmental entities, planning or strategy sessions of either set of representatives when meeting with the entity it represents are not open to the public. - Amends TCA Section 8-44-201.

HB 1511 by *Todd, McCormick, Bass, Matheny, Hensley, Tidwell, Casada, McDaniel, Brooks H, Borchert, Brooks K, Watson, Dean (*SB 1506 by *Burchett)

Safety - As introduced, exempts persons 21 years of age and older from requirement that persons riding a motorcycle must wear a helmet. - Amends TCA Section 55-9-302.

HB 1512 by *Tindell, Niceley, McDaniel, Faulkner, Todd, Ferguson (*SB 1548 by *Burchett, Johnson)

Pest Control - As introduced, provides terms for the engagement of services for certain termite inspection and prevention plans. - Amends TCA Title 62, Chapter 21, Part 1.

HB 1513 by *Bell (*SB 1564 by *Bunch)

Naming and Designating - As introduced, designates TBI headquarters in Nashville as "Larry Wallace TBI State Office Building." -

HB 1514 by *Bell (*SB 1568 by *Bunch)

Handgun Permits - As introduced, makes information contained in handgun carry permit applications and renewals, information provided to agencies to investigate applicant, and records maintained relative to the permit application confidential and creates Class E felony of unauthorized publication of permit information or records. - Amends TCA Title 39, Chapter 17, Part 13.

HB 1515 by *Brooks H (*SB 1143 by *Gresham)

Education, Higher - As introduced, adds a citation to the provision of law that provides for the creation of the state school bond authority in the statute regarding the chairs of excellence endowment fund. - Amends TCA Title 49, Chapter 7, Part 5.

HB 1516 by *Brooks H (*SB 1142 by *Gresham)

Education, Higher - As introduced, specifies that the restrictions imposed on the substitution of beneficiaries under the Tennessee Baccalaureate Education System Trust Act may be no less stringent than that required under the Internal Revenue Code. - Amends TCA Title 49, Chapter 7, Part 8.

HB 1517 by *Curtiss, Sargent (*SB 1931 by *Woodson)

Trade Regulation - As introduced, requires suppliers of gasoline products to make such products available to wholesalers in a condition that allows the wholesaler to blend it with ethanol or other biological products. - Amends TCA Title 47, Chapter 25.

HB 1518 by *Fitzhugh, Sargent (*SB 1089 by *McNally)

Corporations, Not for Profit - As introduced, creates a new special purpose non-profit corporation for the purpose of owning and operating electric generation plants; modifies the state energy acquisition corporation statutes to permit representation on the board. - Amends TCA Title 7 and Title 48.

(House Bills cont.)

HB 1519 by *Sargent (*SB 1587 by *Johnson)

Gambling - As introduced, provides that it does not constitute offense of possessing gambling device or record if devices are possessed in this state for the sole purpose of transporting for use outside the state. - Amends TCA Title 39, Chapter 17.

HB 1520 by *Sargent (*SB 1382 by *Johnson)

Insurance, Health, Accident - As introduced, states that a health insurance carrier shall not require a health care provider to notify the carrier of a hospital inpatient admission within less than one business day of admission. - Amends TCA Title 56, Chapter 7.

HB 1521 by *Harwell (*SB 1503 by *Burchett)

Criminal Offenses - As introduced, modifies certain statutory provisions pertaining to certain types of theft. - Amends TCA Title 39, Chapter 14, Part 1.

HB 1522 by *Harwell (*SB 1436 by *Stanley)

Unclaimed Property - As introduced, specifies that certain unclaimed property held on behalf of another is subject to the custody of the state. - Amends TCA Title 66, Chapter 29, Part 1.

HB 1523 by *Harwell (*SB 1437 by *Stanley)

Public Utilities - As introduced, clarifies that the department of the treasury is required to administer the small and minority-owned business assistance program. - Amends TCA Section 65-5-112 and Section 65-5-113.

HB 1524 by *Hawk (*SB 0620 by *Southerland)

Schools, Charter - As introduced, allows charter schools to be managed or operated by private or for-profit entities. - Amends TCA Title 49, Chapter 13.

HB 1525 by *Hawk (*SB 0621 by *Southerland)

Schools, Charter - As introduced, removes the prohibition on cyber-based charter schools. - Amends TCA Title 49, Chapter 13, Part 1.

HB 1526 by *Fitzhugh (*SB 1368 by *Johnson)

Insurance Companies, Agents, Brokers, Policies - As introduced, revises the Life Settlements Act to further define fraudulent or dishonest practices by a licensee, applicant for renewal, or any officer, partner, member or key management personnel. - Amends TCA Title 56, Chapter 50.

HB 1527 by *Brooks H (*SB 1517 by *Burchett)

Autopsies - As introduced, creates Class A misdemeanor offense for unauthorized dissemination of autopsy materials. - Amends TCA Title 38 and Title 39.

HB 1528 by *Brooks H (*SB 1525 by *Burchett)

Civil Procedure - As introduced, enacts the "Private Process Servers Regulatory Act of 2009." - Amends TCA Title 62.

HB 1529 by *Odom, Cobb T, Borchert (*SB 1117 by *Berke)

Mass Transit - As introduced, adds to transit authority management boards a non-voting member recommended by the labor organization representing the plurality of employees and allows the chairperson to exclude the member from meetings on negotiations with labor organizations. - Amends TCA Section 7-56-101.

HB 1530 by *Sargent, Casada, Johnson P (*SB 1945 by *Johnson)

School Transportation - As introduced, allows Type D school buses to remain in service for 15 years, with the commissioner of education able to grant a waiver for an additional five years on a year-to-year basis upon inspection. - Amends TCA Title 49, Chapter 6, Part 21.

***HB 1531 by *Harwell**

Teachers, Principals and School Personnel - As introduced, provides that employee bonuses and performance compensation are not conditions of employment that the board of education and professional employees' organization have to negotiate in good faith. - Amends TCA Title 49, Chapter 5, Part 6.

HB 1532 by *Favors (*SB 0640 by *Marrero B)

Hospitals and Health Care Facilities - As introduced, enacts the "Emergency Care for Rape Victims Act." - Amends TCA Title 68, Chapter 11.

HB 1533 by *Coley (*SB 0668 by *Norris)

Eminent Domain - As introduced, decreases time in which owner of property determined by municipal planning commission to be blighted must respond to written notice of such determination, from 90 to 60 days. - Amends TCA Title 13, Chapter 21.

(House Bills cont.)

HB 1534 by *Dean, Harmon, Bass (*SB 0310 by *Berke)

Bail, Bail Bonds - As introduced, removes requirement that a list of bondsmen posted in a correctional facility must be done in order of seniority. - Amends TCA Section 40-11-126(b).

HB 1535 by *McCormick (*SB 1570 by *Ketron)

Tax Assessors and Collectors - As introduced, specifies that division of property assessments has right to intervene in contested cases before the state board of equalization; specifies persons who are authorized to represent the assessor. - Amends TCA Section 67-1-202 and Section 67-5-1514.

HB 1536 by *McCormick (*SB 1288 by *Bunch)

Tourist Development, Dept. of - As introduced, authorizes the state to match local contributions for regional economic development districts. - Amends TCA Title 4, Chapter 3.

HB 1537 by *Litz (*SB 1846 by *Kyle)

Ethics - As introduced, combines consolidated disclosure of interest form with other forms created by Tennessee ethics commission; changes certain filing deadlines from February 1 to April 15. - Amends TCA Title 2, Chapter 10; Title 3, Chapter 6 and Title 8, Chapter 50.

HB 1538 by *Litz (*SB 1177 by *Barnes)

Firefighters - As introduced, requires certain procedures for privatizing fire and related services. -

HB 1539 by *Litz (*SB 1711 by *Overbey)

Special License Plates - As introduced, adds former municipal court judges to eligibility list for judiciary registration plates. - Amends TCA Title 55, Chapter 4.

HB 1540 by *Litz (*SB 0696 by *Southerland)

Taxes, Inheritance Gift - As introduced, phases out the inheritance tax over a four-year period beginning January 1, 2010, by incrementally reducing the amount of the tax each year until, for decedents dying in 2014 and thereafter, no such tax applies. - Amends TCA Title 67, Chapter 8.

HB 1541 by *Gilmore (*SB 1831 by *Kyle)

Criminal Offenses - As introduced, classifies intentionally causing the physical injury of a public or private transportation system employee while the employee is performing an assigned task on or related to the operation of a transit vehicle as aggravated assault and a Class A misdemeanor. - Amends TCA Section 39-13-102.

HB 1542 by *Stewart (*SB 1951 by *Henry)

Taxes, Sales - As introduced, allows counties and municipalities to create exemption to local option sales tax for replacement trees purchased toward commercial or public utility property's required tree density. - Amends TCA Title 67.

HB 1543 by *Stewart (*SB 1469 by *Haynes)

Taxes, Exemption and Credits - As introduced, adds enterprise zones as location in which qualified business enterprise may be located to be eligible for \$4,500 jobs tax credit upon approval of commissioners of the department of revenue and the department of economic and community development. - Amends TCA Title 67, Chapter 4, Part 21.

HB 1544 by *Montgomery (*SB 1541 by *Burchett)

Lottery, Scholarships and Programs - As introduced, allows TSAC to promulgate rules for the award of a lottery scholarship or grant in certain situations for extenuating circumstances. - Amends TCA Title 49, Chapter 4, Part 9.

HB 1545 by *DeBerry J (*SB 1907 by *Norris)

Medicine, Practice of - As introduced, exempts persons licensed by the board of any of the professions of healing arts from liability for civil damages resulting from the delivery of health services for a nominal charge. - Amends TCA Title 63, Chapter 6, Part 7.

HB 1546 by *DeBerry J (*SB 1569 by *Norris)

Pharmacy, Pharmacists - As introduced, revises conditions under which charitable clinics may accept donations of or dispense certain drugs. - Amends TCA Title 63 and Title 68.

HB 1547 by *Coleman (*SB 0987 by *Beavers)

Victims' Rights - As introduced, specifies citation to definition of "victim" in the Criminal Injuries Compensation Act of 1976. - Amends TCA Section 40-24-107, Section 67-4-606, and Title 29, Chapter 13, Parts 1 and 3.

HB 1548 by *Fitzhugh (*SB 0669 by *Norris)

Pharmacy, Pharmacists - As introduced, prohibits a health insurance plan or policy from altering certain aspects of prescription drug coverage for certain insureds. - Amends TCA Title 56.

(House Bills cont.)

- HB 1549 by *Casada, Shepard, McDaniel, Bone, Shipley, McCord (*SB 0944 by *Overbey, Ketron)**
Wine, Wineries - As introduced, revises "Grape and Wine Law" based on a Sixth Circuit U.S. Court of Appeals decision including allowing out-of-state wineries to be licensed. - Amends TCA Title 57, Chapter 3, Part 2.
- HB 1550 by *Shepard (*SB 1588 by *Overbey)**
Physicians and Surgeons - As introduced, authorizes renal dialysis clinics to employ physicians in certain circumstances. - Amends TCA Section 63-6-204 and Section 68-11-205.
- HB 1551 by *Shepard (*SB 1538 by *Burchett)**
Mental Illness - As introduced, establishes legislative intent concerning priority of services to behavioral health safety net. - Amends TCA Title 33, Chapter 6 and Title 71, Chapter 5, Part 1.
- HB 1552 by *Harwell, Campfield, Bell, Brooks K, Shipley, Maggart, Lundberg, Matheny, Eldridge, Montgomery, Lynn, Hawk, Swafford, Cobb J, Hensley, Dennis, McCormick, Rowland, Harrison, Evans, Floyd, Tidwell, Dean (*SB 0850 by *Black, Burks, Gresham, Beavers, Ketron, Crowe, McNally, Burchett, Tracy, Ramsey, Yager)**
Education - As introduced, places restrictions on universal mental health testing, or psychiatric or socioemotional screening of juveniles; requires certain consent by a juvenile's parent, guardian, legal custodian, or caregiver before such testing can occur. - Amends TCA Title 9, Chapter 4 and Title 49, Chapter 2, Part 1.
- HB 1553 by *Montgomery (*SB 1389 by *Johnson)**
Real Estate Agents and Brokers - As introduced, exempts specified persons from the licensing requirements of the Tennessee Real Estate Broker License Act of 1973. - Amends TCA Section 62-13-104.
- HB 1554 by *Montgomery (*SB 0805 by *Overbey)**
Courts, Municipal - As introduced, authorizes creation of city court in each home rule municipality that does not have a city court established by the local governing body. - Amends TCA Title 16 and Title 17, Chapter 1.
- HB 1555 by *Hackworth (*SB 1278 by *Bunch)**
Mobile Homes and Manufactured Buildings - As introduced, requires an affidavit of affixation for manufactured homes attached to real property to be a separate document. - Amends TCA Section 55-3-138.
- HB 1556 by *Richardson (*SB 1904 by *Marrero B)**
Taxes - As introduced, specifies that certain credits shall not be valued as income for appraisal purposes. - Amends TCA Title 67.
- HB 1557 by *Jones S (*SB 1153 by *Gresham)**
Juveniles - As introduced, creates department of juvenile justice. - Amends TCA Title 4; Title 8 and Title 37.
- HB 1558 by *Dean (*SB 1917 by *Berke)**
Purchasing - As introduced, authorizes the purchase of secondhand items by local governments as long as the general range of value of the item is documented through a listing in a recognized publication or through an appraisal and the price is no more than 1 percent of the documented range. - Amends TCA Section 12-3-1003.
- HB 1559 by *West (*SB 1462 by *Haynes)**
Finance and Administration, Dept. of - As introduced, directs the department to work with deaf and hard of hearing organizations to provide a suitable facility in Nashville for deaf and hard of hearing persons. - Amends TCA Title 4, Chapter 3, Part 10 and Title 11.
- HB 1560 by *West (*SB 1446 by *Haynes)**
Teachers, Principals and School Personnel - As introduced, affords teachers in Davidson County a hearing if such teachers are suspended from duty. - Amends TCA Section 49-5-512.
- HB 1561 by *West (*SB 1678 by *Haynes)**
Motor Vehicles - As introduced, increases from 15 to 30 days when notice of tow of an abandoned or unclaimed vehicle must be given to last registered owner. - Amends TCA Title 55, Chapter 16.
- HB 1562 by *West (*SB 0467 by *Harper)**
Explosives - As introduced, authorizes local governments to enact more stringent blasting standards than state requirements. - Amends TCA Title 68, Chapter 105, Part 1.

(House Bills cont.)

HB 1563 by *West (*SB 1450 by *Haynes)

Transportation, Dept. of - As introduced, directs the department to complete work on the corridor management plan for the Donelson area in Davidson County. - Amends TCA Title 54.

HB 1564 by *West (*SB 0487 by *Burchett)

Workers Compensation - As introduced, authorizes workers' compensation penalties to be abated and then voided after one year if employer obtains and maintains workers' compensation coverage. - Amends TCA Title 50, Chapter 6, Part 4.

HB 1565 by *West (*SB 1452 by *Haynes)

Transportation, Dept. of - As introduced, directs TDOT to confer with house and senate transportation committees before making any substantial changes in original route of Harding Place extension in Davidson County. - Amends TCA Title 54.

HB 1566 by *West (*SB 0571 by *Jackson)

Safety - As introduced, requires certain persons who operate cranes over five tons in lifting capacity be certified by a national organization approved by the commissioner of labor and workforce development. - Amends TCA Title 50, Chapter 3.

HB 1567 by *West (*SB 1451 by *Haynes)

Highways, Roads and Bridges - As introduced, urges TDOT to install a turning lane on a portion of Lebanon Road in Davidson County. -

HB 1568 by *West (*SB 1449 by *Haynes)

Highways, Roads and Bridges - As introduced, directs TDOT to widen Lebanon Road in Nashville from Briley Parkway to Wilson County line; urges TDOT to seek federal funds for such project. -

HB 1569 by *West (*SB 1448 by *Haynes)

Correction, Dept. of - As introduced, directs the department working with the department of finance and administration to negotiate with Men of Valor in selling or leasing certain state properties for residential rehabilitative services for felons. - Amends TCA Title 3 and Title 41.

HB 1570 by *West (*SB 1447 by *Haynes)

Physicians and Surgeons - As introduced, specifies certain potential complications to elective cosmetic or plastic surgery that must be discussed with a patient prior to such surgery. - Amends TCA Title 63, Chapter 6, Part 2 and Title 63, Chapter 9.

HB 1571 by *West (*SB 0432 by *Bunch)

Unemployment Compensation - As introduced, authorizes officers of corporations to exempt themselves from unemployment law provisions. - Amends TCA Title 50, Chapter 7.

HB 1573 by *West (*SB 1466 by *Haynes)

State Employees - As introduced, requires longevity pay to state employees to be issued by a separate check unless the employee elects not to receive a separate check. - Amends TCA Section 8-23-206.

HB 1574 by *West (*SB 0430 by *Bunch)

Workers Compensation - As introduced, defines the AMA guide for impairment ratings to mean the 5th edition of the Guides, instead of either the 6th edition or any new edition that is designated by the general assembly. - Amends TCA Title 50, Chapter 6.

HB 1575 by *West (*SB 1428 by *Stanley)

Licenses - As introduced, requires certain providers of hospitality services for compensation to be licensed by commissioner of commerce and insurance. - Amends TCA Title 62.

HB 1576 by *Johnson P (*SB 1509 by *Burchett)

Limitation of Actions - As introduced, establishes one-year statute of limitations for actions to recover damages based on a home inspection report. - Amends TCA Title 28; Title 62, Chapter 6, Part 3 and Title 66, Chapter 5.

HB 1577 by *Brooks K (*SB 0438 by *Overbey)

Pensions and Retirement Benefits - As introduced, permits certain retired general sessions judges to participate in the health insurance plan for employees of local government under certain conditions. - Amends TCA Section 8-27-207.

(House Bills cont.)

***HB 1578 by *Windle**

State Employees - As introduced, permits a person being interviewed concerning periodic routine searches for contraband of employees of the department of correction to record interviews and interrogations and requires the interviewer to record such interviews; limits the application of present law permitting the dismissal of an employee for failing to take a polygraph examination only to situations relating to such searches for contraband. - Amends TCA Section 41-1-102.

HB 1579 by *Harrison (*SB 1939 by *Faulk)

Alcoholic Beverages - As introduced, specifies that statutory cause of action for alcohol-related injuries is in addition to common law causes of action for such injuries. - Amends TCA Title 57, Chapter 10, Part 1.

HB 1580 by *Harrison (*SB 1947 by *Faulk)

Alcoholic Beverages - As introduced, specifies that retailers are prohibited from selling intoxicating liquors to persons who are "visibly intoxicated" or accompanying a "visibly intoxicated" person rather than someone who is "drunk" or accompanying a "drunk" person. - Amends TCA Section 57-3-406 and Section 57-5-301.

SECOND CONSIDERATION

HB's 687 – 765, 767 – 1137 were passed on second consideration.

2/9/09

JUDICIARY – HB 12.

2/11/09

HELD ON DESK - HB's 91, 249, 286.

CAPTION, HELD ON DESK – HB's 104, 124, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 219, 327, 329, 353, 357, 367, 370.

CHILDREN & FAMILY AFFAIRS - HB's 202, 237, 321, 332.

COMMERCE - HB's 90, 272, 276, 303, 338, 371.

CONSERVATION & ENVIRONMENT – HB 365.

CONSUMER & EMPLOYEE AFFAIRS – HB 256.

EDUCATION - HB's 86, 92, 101, 102, 103, 114, 122, 207, 208, 209, 211, 217, 230, 248, 281, 285, 292, 299, 312, 313, 316, 364, 374, 375, 376, 377.

FINANCE, WAYS & MEANS - HB's 85, 131, 132, 206, 210, 212, 223, 226, 228, 229, 246, 261, 290, 296, 301, 345, 352.

HEALTH & HUMAN RESOURCES - HB's 93, 97, 120, 203, 220, 222, 247, 277, 315, 334, 340, 354, 368.

JUDICIARY - HB's 98, 110, 112, 118, 119, 121, 123, 125, 126, 127, 130, 201, 215, 218, 221, 233, 236, 238, 245, 254, 255, 258, 259, 264, 266, 275, 284, 288, 289, 308, 314, 317, 318, 328, 335, 349, 351, 355, 359, 360, 363, 373.

STATE & LOCAL GOVERNMENT - HB's 87, 88, 96, 105, 108, 129, 204, 214, 224, 225, 239, 242, 243, 252, 257, 260, 267, 270, 271, 273, 274, 278, 279, 283, 287, 295, 305, 306, 307, 309, 310, 333, 337, 341, 347.

TRANSPORTATION - HB's 89, 95, 100, 107, 205, 213, 216, 231, 244, 262, 293, 294, 298, 331, 336, 342, 343, 366, 372.

2/12/09

CAPTION, HELD ON DESK - HB's 399, 410, 427, 439, 449, 450, 471, 535, 536, 538, 555, 559, 564, 574, 586, 601, 634, 647, 649, 650, 651, 665.

AGRICULTURE - HB's 441, 510, 537, 539.

CHILDREN & FAMILY AFFAIRS - HB's 398, 605, 637, 677, 686.

COMMERCE - HB's 378, 380, 396, 438, 472, 475, 595, 613, 636, 644.

CONSERVATION & ENVIRONMENT- HB's 454, 455, 456, 458, 569.

CONSUMER & EMPLOYEE AFFAIRS - HB's 397, 461, 528, 550, 618, 657.

(2/12/09 Second Considerations cont.)

EDUCATION - HB's 379, 393, 401, 408, 429, 431, 432, 451, 460, 474, 508, 511, 549, 552, 553, 556, 557, 561, 565, 575, 577, 593, 599, 678, 679.

FINANCE, WAYS & MEANS - HB's 383, 418, 420, 421, 434, 442, 479, 486, 512, 529, 543, 560, 594, 654, 655, 656, 668.

GOVERNMENT OPERATIONS – HB 581.

HEALTH & HUMAN RESOURCES - HB's 394, 436, 445, 448, 464, 481, 546, 547, 558, 568, 570, 571, 631, 632, 633, 635, 638, 684.

JUDICIARY - HB's 385, 390, 392, 403, 405, 409, 411, 414, 416, 430, 433, 444, 473, 476, 477, 478, 482, 483, 484, 485, 489, 490, 502, 503, 513, 516, 517, 520, 521, 522, 525, 526, 527, 540, 544, 548, 554, 566, 582, 583, 587, 588, 589, 590, 591, 596, 597, 600, 606, 607, 609, 611, 612, 615, 619, 620, 621, 622, 623, 624, 625, 662, 666, 667, 673, 676, 680, 682.

STATE & LOCAL GOVERNMENT - HB's 387, 402, 419, 424, 443, 468, 493, 495, 496, 497, 498, 499, 500, 501, 504, 505, 506, 507, 519, 533, 563, 580, 585, 592, 598, 603, 610, 614, 628, 629, 639, 640, 641, 643, 652, 653, 659, 671, 674.

TRANSPORTATION - HB's 384, 415, 437, 440, 447, 452, 453, 467, 470, 487, 488, 491, 509, 534, 541, 562, 576, 602, 642, 646, 663, 669, 685.

THIRD CONSIDERATION

Consent Calendar:

HR 13 – ADOPTED 97-0-1.

HJR's 81, 85, 86, 87, 89 – ADOPTED 97-0-1.

Consent Calendar #2:

HR 12 – ADOPTED 97-0-1.

HJR's 91, 93, 94, 95, 96, 97, 98 – ADOPTED 97-0-1.

HJR's 99, 100 – RE-SET to 2/19/09.

HJR's 101, 102 – ADOPTED 97-0-1.

SJR 19 – CONCURRED 97-0-1.

Regular Calendar:

SJR's 49, 50, 51 – HELD on desk.

OTHER ACTION

HB's 94, 95, 97, 98, 255, 1085, 1166 – WITHDRAWN.

HR 1 – s/r ADOPTED v.v.

SUBCOMMITTEE REPORTS

BUDGET – HHR #29 – 11:00 a.m. –

Rec. for pass. if am. – HB 74.

DOMESTIC RELATIONS – HHR #29 – 12:30 p.m. –

Action def. – HB 2.

STATE GOVERNMENT – HHR #29 – 8:30 a.m. –

Rec. for pass. if am.. – HB 419.

MESSAGE FROM THE GOVERNOR

HJR'S 1, 2, 6, 8, 9 – SIGNED 2/12/09.

HOUSE CONVENES AT 9:00 A.M., THURSDAY, FEBRUARY 19, 2009